

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TERRELL THOMAS,

Plaintiff,

-v.-

DUANE VENTURES, INC., and
NEW YORK CLEO 2 LLC,

Defendants.

23 Civ. 7113 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

The Court held an initial pretrial conference in this matter on January 3, 2024. (*See* January 3, 2024 Minute Entry). Plaintiff Terrell Thomas thereafter filed an Amended Complaint on January 30, 2024 (Dkt. #21), against Defendants Duane Ventures, Inc. (“Duane Ventures”) and New York Cleo 2 LLC (“NY Cleo 2”), but not (former) Defendant Babycottons LLC, named only in the original Complaint (Dkt. #1). Soon after, on February 2, 2024, the Court referred this case to the Court-annexed mediation program at the request of all three parties. (*See* Dkt. #27-29).

On February 15, 2024, Duane Ventures filed an Answer to the Amended Complaint, as well as crossclaims against NY Cleo 2. (Dkt. #30). On March 7, 2024, NY Cleo 2 filed an Answer to Duane Ventures’s crossclaims, as well as its own crossclaims against Duane Ventures. (Dkt. #31). On March 14, 2024, Duane Ventures filed an Answer to NY Cleo 2’s crossclaims. (Dkt. #33). The Court then granted NY Cleo 2 an extension of time to file an Answer to the

Amended Complaint “to no later than seven days after the conclusion of the parties’ mediation, should such mediation prove unsuccessful.” (Dkt. #34).

On April 17, 2024, the Court-appointed mediator informed the Court that “mediation in this case was held but was unsuccessful in resolving any issue in the case.” (Dkt. #35). On April 19, 2024, NY Cleo 2 filed an Answer to the Amended Complaint. (Dkt. #36).

In view of the foregoing, the parties are hereby ORDERED to meet and confer regarding next steps in this litigation and to submit a proposed case management plan and scheduling order (a fillable version of which may be found at <https://www.nysd.uscourts.gov/hon-katherine-polk-faila>) on or before **May 6, 2024**.

SO ORDERED.

Dated: April 22, 2024
New York, New York



KATHERINE POLK FAILLA
United States District Judge